

TERRY GODDARD
ATTORNEY GENERAL



OFFICE OF THE ATTORNEY GENERAL
STATE OF ARIZONA

November 5, 2003

Dear BFA Investor:

We prosecutors at the Office of the Attorney General want to take this opportunity to provide an update on the criminal prosecution of Bill Crotts, Tom Grabinski, Harold Friend, Dwain Hoover and Rick Rolfes, and to convey our commitment to continue to vigorously pursue the convictions of these defendants.

Several setbacks to the prosecution have resulted in major delays. It is easy for us to understand why some of you may be disillusioned with the process and doubtful of the State's seriousness about following through on this prosecution. The purpose of this letter is to attempt to put your minds at ease regarding our resolve and commitment.

The most serious setback was the court order which sent this case back to the grand jury for consideration 18 months after it had been originally filed. That order, after the passage of so much time, was difficult to take both for the victims in this case and the prosecutors. However, we returned to a new grand jury about 30 days later and secured a second indictment. Just as the defendants had done after the initial indictment, they filed several motions seeking to send the case back to the grand jury. The State fought those motions and prevailed. The trial court agreed with the State that the presentation to the grand jury was fair and appropriate. The defendants appealed the trial court's decision to the Arizona Court of Appeals who refused to hear the appeal. The Arizona Supreme Court also refused to hear that appeal.

We also experienced considerable delay because of the reassignment of the case to a series of three judges. Only recently the case was assigned to Judge Gregory Martin, our third judge. This week, Judge Martin ruled in the State's favor, denying ten motions the defendants filed. (See Victim Services' August 6, 2003 letter). The State's success defeating defendants' most recent attempts to dismiss or delay the prosecution is significant progress towards setting this case for trial. Judge Martin has scheduled a status conference for January 23, 2004, at 9:00 a.m., at which time he will set a trial date. With the Judge's guidance, we estimate that this case will go to trial in approximately one year. There is still lots of work left to be done, primarily defense counsels' interviews of the State's witnesses.

Even for those of us familiar with the criminal justice system, this case is extraordinary. The sheer number of victims and the size of the documentary proof make it unique among prosecutions in this State's courts. While it is difficult for those of you who were victimized by BFA to wait for justice, we nevertheless must ask for more of your patience. We promise to work hard and utilize all our resources and best efforts. We guarantee you that we will work passionately and diligently to bring these defendants to justice.

We hope this information has been helpful to you. We will continue to keep you updated about the case. For the most current information, you may check our website at www.ag.state.az.us or call our BFA help line at (602) 364-1275. If you are outside of Maricopa County, you may call 1-866-823-6577. Should you need additional assistance, our Office of Victim Services advocates can be reached via email at bfa@ag.state.az.us.

Sincerely,

Donald E. Conrad
Chief Counsel, Criminal Division
Felecia A. Rotellini
Assistant Attorney General